United Nations S/2013/177

Security Council

Distr.: General
21 March 2013
English
Original: French

Letter dated 19 March 2013 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to draw the attention of the Security Council to the recent events which have occurred in the eastern Democratic Republic of the Congo since the week of 10 to 16 March 2013. Fighting among rival factions of the 23 March Movement (M23) has once again caused death and destruction among the civilian population of North Kivu province and led to a major humanitarian crisis. The fighting resulted in the escape and return to Rwanda of a significant number of armed members of the M23 with their commanders and political leadership.

With regard to the M23, my Government would like to recall that in Security Council resolutions 2076 (2012) of 20 November 2012 and 2078 (2012) of 28 November 2012, the Security Council, in accordance with the criteria established in resolution 1857 (2008), instituted targeted sanctions against:

- the leadership of the M23 and those providing external support to the M23 in violation of the sanctions regime and the arms embargo (resolution 2076 (2012), para. 8, and resolution 2078 (2012), para. 9).
- individuals or entities operating in the Democratic Republic of the Congo and committing serious violations involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement (resolution 2078 (2012), para. 4 (e)).

My Government would also like to recall that each country of the region where M23 rebels have taken refuge, including Rwanda, has renewed a commitment not to harbour or provide any protection whatsoever to individuals accused of war crimes, crimes against humanity, acts of genocide or crimes of aggression, or to individuals subject to a United Nations sanctions regime, in accordance with the provisions of the Framework Agreement on Peace, Security and Cooperation for the Democratic Republic of the Congo and the Region, signed on 24 February 2013.

With regard to the fate of Mr. Bosco Ntaganda in particular, who is sought by the International Criminal Court and has taken refuge in the American Embassy in the Rwandan capital, Kigali, my Government would like to state its willingness to work closely with the United States Government to ensure the rapid transfer of this criminal to the Court. My Government therefore calls on all neighbouring States of the Democratic Republic of the Congo, Rwanda in particular, to cooperate in his

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successful transfer, in full observance of the commitments freely undertaken in Addis Ababa.

Consequently, my Government urges the Security Council:

1. To invite the countries of the region, and Rwanda in particular, to observe the commitments freely undertaken in accordance with the Framework Agreement.

2. To invite the countries of the region, and Rwanda in particular, to respect the United Nations sanctions regime and to implement fully the provisions of resolutions 2076 (2012) of 20 November 2012 and 2078 (2012) of 28 November 2012.

3. To take all necessary measures to ensure that the members of the M23 who have taken refuge in Rwanda are brought to justice for their actions.

My Government invites the Security Council to follow up on this letter and requests that it should be circulated as a Security Council document.

(*Signed*) Ignace **Gata Mavita**
Ambassador
Permanent Representative